



Attorney's Docket No.: 10064-002002

DAC/H  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Phillips, et al.  
Serial No. : 09/779,659  
Filed : February 9, 2001  
Title : THEME CALENDAR

Art Unit : Unknown  
Examiner : Unknown

Commissioner for Patents  
Washington, D.C. 20231

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed August 26, 2002 (copy enclosed). The application was abandoned under 37 CFR §1.53(f) for failure to respond to the Notice to File Corrected Application Papers mailed March 8, 2001. However, the Notice to File Corrected Application Papers was never received by Applicant's attorney.

Applicant submits that the abandonment of this application was unavoidable based on Applicant's failure to receive the Notice to File Corrected Application Papers and requests that the Notice of Abandonment be withdrawn.

The undersigned, applicant's attorney of record, first became aware of the abandonment on September 5, 2002, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR §1.8(b)(1).

A response to the Notice to File Corrected Application Papers is filed herewith. Also enclosed is the petition fee set forth in 37 CFR 1.17(l) in the amount of \$55.

Please note the enclosed copy of the Change of Address filed April 25, 2001. Please send all future correspondence with regard to this application to the address indicated on the Change of Address.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

9/12/02

Date of Deposit

Nancy Grant

Signature

Nancy Grant

Typed or Printed Name of Person Signing Certificate

RECEIVED

SEP 26 2002

OFFICE OF PETITIONS

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Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 9/11/02

  
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